**THE HON'BLE MR JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION No: 21664 of 1994**

Date: 10.03.2006

Between:

R. Mallesh

… Petitioner

and

1. The Managing Director, Society for Employment, Promotion and Training in Twin Cities (SETWIN), Purani Haveli, Hyderabad and another.

… Respondents.

**THE HON'BLE MR JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION No: 21664 of 1994**

**ORDER:**

While Sri K.Ramanujachari, learned standing counsel for 1st respondent would place reliance on the orders of this Court in W.P.Nos.1982 & 1983 of 1994 dated 6.8.1999, W.P.Nos.13166 & 20612 of 1993 dated 18.9.2002, W.P.No.12326 of 1994 dated 25.6.2004, W.P.Nos.2108, 2600 of 2004 & 8484 of 1993 dated 9.4.2004 and W.P.2042 of 1995 dated 7.7.2005, to contend that the petitioner has to seek remedies under the Industrial Disputes Act, Sri V.Jagapathi, learned counsel for the petitioner, would submit that this court, by order in W.P.M.P.26894 of 1994 dated 16.2.1995, had issued a direction to consider the case of the petitioner for re-employment as attender under Section 25-H of the Industrial Disputes Act which

requires an employer to follow the principle of 'last come – first go' whenever appointments are to be made. Learned counsel would submit that pursuant to the interim orders of this Court, the petitioner herein has been taken back into service and that he is continuing in service as on date.

Needless to state that since the order of this court, in W.P.M.P.26894 of 1994 dated 12.02.1995, was to consider the case of the petitioner for re-employment as an attender under Section 25-H of the Act, any protection which the petitioner is entitled to is only under Section 25-H and the order passed by the 2nd respondent appointing him as an attender, pursuant to the interim orders of this court, would not confer any benefit on him other than what is provided under Section 25-H of the Industrial Disputes Act.

The writ petition is accordingly disposed of. No order as to costs.

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10-3-2006

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